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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91213527
Party	Defendant Greater Omaha Packing Co., Inc.
Correspondence Address	I. Stephen Samuels Samuels & Hiebert LLC Two International Place, 23rd Floor Boston, MA 02110 UNITED STATES iss@samuelstm.com, file@suiter.com
Submission	Answer
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Date	12/24/2013
Attachments	OSvGOApplicant'sAnswer.pdf(118007 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Omaha Steaks International, Inc.

Opposer

v.

Greater Omaha Packing Co., Inc.

Applicant

Opposition No. 91213527

Mark: GREATER OMAHA

PROVIDING THE HIGHEST QUALITY
BEEF & Design

U.S. Ser. No. 85897951

Filed April 8, 2013

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APPLICANT'S ANSWER TO NOTICE OF OPPOSITION

Applicant answers the Notice of Opposition as follows:

1. Applicant lacks sufficient knowledge or information to form a belief as to the allegations contained in Paragraph 1, and therefore denies the same.

2. Applicant lacks sufficient knowledge or information to form a belief as to the allegations contained in Paragraph 2, and therefore denies the same.

3. Applicant lacks sufficient knowledge or information to form a belief as to the allegations contained in Paragraph 3, and therefore denies the same.

4. Applicant lacks sufficient knowledge or information to form a belief as to the allegations contained in Paragraph 4, and therefore denies the same.

5. Applicant lacks sufficient knowledge or information to form a belief as to the allegations contained in Paragraph 5, and therefore denies the same.

6. Applicant lacks sufficient knowledge or information to form a belief as to the allegations contained in Paragraph 6, and therefore denies the same.

7. Applicant lacks sufficient knowledge or information to form a belief as to the allegations contained in Paragraph 7, and therefore denies the same.

8. Applicant lacks sufficient knowledge or information to form a belief as to the allegations contained in Paragraph 8, and therefore denies the same.

9. Applicant lacks sufficient knowledge or information to form a belief as to the allegations contained in Paragraph 9, and therefore denies the same.

10. Applicant lacks sufficient knowledge or information to form a belief as to the allegations contained in Paragraph 10, and therefore denies the same.

11. Applicant lacks sufficient knowledge or information to form a belief as to the allegations contained in Paragraph 11, and therefore denies the same.

12. Applicant admits the allegations contained in Paragraph 12.

13. Applicant lacks sufficient knowledge or information to form a belief as to the allegations contained in Paragraph 13, and therefore denies the same.

14. Applicant lacks sufficient knowledge or information to form a belief as to the allegations contained in Paragraph 14, and therefore denies the same.

15. Applicant denies the allegations contained in Paragraph 15.

16. Applicant lacks sufficient knowledge or information to form a belief as to the allegations contained in Paragraph 16, and therefore denies the same.

17. Applicant lacks sufficient knowledge or information to form a belief as to the allegations contained in Paragraph 17, and therefore denies the same.

18. Applicant lacks sufficient knowledge or information to form a belief as to the allegations contained in Paragraph 18, and therefore denies the same.

19. Applicant denies the allegations contained in Paragraph 19.

20. Applicant denies the allegations contained in Paragraph 20.

21. Applicant lacks sufficient knowledge or information to form a belief as to the allegations contained in Paragraph 21, and therefore denies the same.

22. Applicant lacks sufficient knowledge or information to form a belief as to the allegations contained in Paragraph 22, and therefore denies the same.

23. Applicant lacks sufficient knowledge or information to form a belief as to the allegations contained in Paragraph 23, and therefore denies the same.

24. Applicant lacks sufficient knowledge or information to form a belief as to the allegations contained in Paragraph 24, and therefore denies the same.

25. Applicant lacks sufficient knowledge or information to form a belief as to the allegations contained in Paragraph 25, and therefore denies the same.

26. Applicant lacks sufficient knowledge or information to form a belief as to the allegations contained in Paragraph 26, and therefore denies the same.

AFFIRMATIVE DEFENSES

Applicant presents the following affirmative defenses to Opposer's claims:

1. Applicant asserts that Applicant will prove that there is no likelihood of confusion under Section 2(d) of the Act.
2. Applicant asserts that Opposer's alleged marks are not inherently distinctive and lack secondary meaning.
3. Applicant asserts that Applicant's mark is inherently distinctive and has acquired secondary meaning.

WHEREFORE, Applicant prays that this opposition be dismissed and that the opposed application be allowed for the services therein specified.

CORRESPONDENCE ADDRESS

All correspondence in this matter should be addressed to:

1. I. Stephen Samuels, c/o Samuels & Hiebert LLC, Two International Place, 23rd Floor, Boston, Massachusetts 02110-4104. Mr. Samuels' e-mail address is iss@samuelstm.com; and
2. Chad W. Swantz, c/o Suiter Swantz PC LLO, 14301 FNB Parkway, Suite 220, Omaha, Nebraska 68154-5299. Mr. Swantz' e-mail address is cws@suiter.com.

DECLARATION

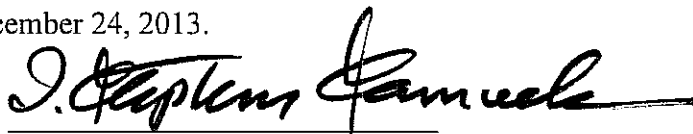
The undersigned I. Stephen Samuels declares that he is attorney for Applicant and is authorized to execute this Answer and declaration on behalf of Applicant; that he has read and signed the Answer and knows the contents thereof; that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this document.



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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing document was served upon the attorney for the other party by first class mail on December 24, 2013.



I. Stephen Samuels

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